

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

OPERATING INSTRUCTION
NUMBER 7

January 27, 2012

CODE OF ETHICS

PURPOSE: To establish a Code of Ethics

1. **SCOPE:** Applicable to all Commission members and staff members. **The term staff member as used in this OI includes Commission members, unless otherwise noted.** Nothing contained herein shall be considered to take precedence over any formal code of ethics that a staff member may be obligated to follow by virtue of his or her professional employment.
2. **POLICY:** It is Commission policy that all staff members be guided by the highest standards of conduct both on and off the job. Circumstances which might arouse suspicion of unethical practices or tend to embarrass the staff member, the Commission, or State or conflict with the Rules and Regulations of the Nebraska Department of Administrative Services, Personnel Division must be avoided.
3. **STANDARDS:**
 - a. Staff members shall not use or attempt to use their official position to secure unwarranted privileges or exemptions for themselves or others.
 - b. Staff members shall not disclose confidential information gained in the course of official duties to any unauthorized person or use such information to further their personal interests.
 - c. Staff members shall not accept employment or engage in any business or professional activity which will require them to disclose confidential information which they have gained by reason of their official position or authority.
 - d. Staff members shall conduct themselves so as not to give the impression that any person can improperly influence them or receive improper favors in the performance of their official duties. The above shall not in any way prohibit political donations or political activity allowed under federal or state statutes.

- e. A staff member shall not have any interest in or engage in any business, transaction or professional activity which is in substantial conflict with the proper discharge of his/her duties.
- f. A staff member shall not solicit for private gain or engage in any business, transaction or professional activity, while acting in the capacity of the Commission.
- g. A staff member shall not engage in any transaction as representative or agent of the state with any business entity in which he/she or another staff member has a financial interest that might reasonably tend to conflict with the proper discharge of his/her official duties.
- h. A staff member shall abstain from making personal investments in enterprises which he/she has reason to believe may be directly involved in decisions to be made by him/her or which will otherwise create substantial conflict between his/her duty in the public interest and his/her private interest.
- I. No staff member shall enter into any private business transaction with any person or entity that has a matter pending or to be pending upon which the staff member will be called upon to render a decision or pass judgment. If any staff member is already engaged in the business transaction at the time that a matter arises, he/she shall be disqualified from rendering any decision or passing any judgment upon the same.
- j. A staff member having recommended to the Commission either the making of a contract or a course of action of which the making of a contract is an express or implied part shall at no time thereafter have an interest in such contract.
- k. Other employment shall not be accepted by any staff member which will impair or influence his/her independence of judgment in the exercise of his/her official duties.
- l. Staff members shall not accept gifts of value or loans from any persons doing business with the State which are intended to, or which may appear to, influence the official relationship between the donor and the recipient.

- m. Those staff members who are required by the provisions of Nebraska Revised Statutes and Commission Rules and Regulations shall annually and as otherwise directed file an appropriate Statement of Financial Interests with the Nebraska Accountability and Disclosure Commission.
 - n. Staff members are prohibited from participation in political activities during office hours or while otherwise engaged in the performance of official duties as employees of this state. Staff members whose salaries are paid with federal funds are subject to the provisions of federal statutes. No staff member shall be dismissed or disciplined for failure or refusal to pay or promise to pay any assessment, subscription, or contribution to any political organization. Political activities not prohibited by law, such as the holding of strictly local non-partisan offices, are authorized except in instances where such activities may interfere with performance of state duties or may be incompatible with a staff member's assignments. This section shall not be applicable to Commission members unless otherwise required by statute.
4. **VIOLATIONS:** In addition to any penalty contained in any provision of law, any such staff member who shall knowingly or intentionally violate any of the provisions of this code may be suspended or removed from office or employment in the manner provided by law and/or disciplined as per the provisions outlined in Staff Memorandum #40-4.

Michael E. Behm
Executive Director

Distribution: Commission members and agency staff
Revised from OI #7, February 9, 1996